

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Blackshear *et al.*

Application No. 10/511,362

Filed: October 15, 2004

Confirmation No. 3754

For: COMPOSITIONS AND METHODS FOR
DIAGNOSTICS AND THERAPEUTICS
FOR HYDROCEPHALUS

Examiner: Quang Nguyen

Art Unit: 2877

Attorney Reference No. 4239-64828-02

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UNITED STATES PATENT AND TRADEMARK OFFICE

RENEWED PETITION UNDER 37 CFR 1.10

Applicants received a Decision on Petition Under 37 CFR 1.10 (“Decision”) dated November 17, 2006, for the application referenced above; a copy the Decision is attached as **Exhibit A**. The Decision acknowledges that the Petition to Correct Filing Receipt (Petition) submitted on June 21, 2005, satisfies 37 CFR 1.10(d)(1) and (2). However, in order to satisfy 37 CFR 1.10(d)(3) any showing made by Applicants pursuant to this paragraph “must be corroborated by evidence from the USPS or that came into being and within one business day after deposit of the correspondence in the “Express Mail Post Office to Addressee” service of the USPS.”

As stated in the original Petition, Applicants believe that the erroneous filing date on the Filing Receipt arose because the Express Mail receipt was incorrectly dated October 14, 2004, by the United States Postal Service (“USPS”), *thereby giving Applicants a filing date that is earlier than the true filing date (which is October 15, 2004)*. Applicants submit herewith as **Exhibit B** an invoice from the USPS showing that the subject application marked with Express Mail Label No. EV 514604915 US was mailed on October 15, 2004. Applicants believe this is the required evidence from the USPS. The invoice date corresponding to Express Mail Label No. EV 514604915 US further matches the date of deposit listed on the following documents, which are provided in support of the petition:

- (i) **Exhibit C** - Transmittal Letter, dated October 15, 2004, which was submitted to the Patent Office with this application on October 15, 2004;
- (ii) **Exhibit D** – USPS Track & Confirm, confirming that the package containing the application was accepted on October 15, 2004;
- (iii) **Exhibit E** – First page of a Preliminary Amendment, which was submitted to the Patent Office with this application on October 15, 2004, and which includes a Certificate of Express Mailing dated October 15, 2004;
- (iv) **Exhibit F** - Two true copies of the “Express Mail” mailing label showing the “Date of Deposit” at the bottom of the label, correctly handwritten by Applicants’ representative, as October 15, 2004 before deposit (top copy); and (bottom copy only) from after the package label was completed by an employee of the USPS, showing the “date-in” incorrectly entered by the USPS as October 14, 2004; and
- (v) **Exhibit G** - A true copy of an internal Klarquist Sparkman “mail log” indicating that documents corresponding to attorney matter number 4239-64828-02 were deposited by Express Mail on October 15, 2004.

By this Renewed Petition, Applicants request that the USPTO correct the filing date of the application and issue a corrected official Filing Receipt, showing that the **filing date is October 15, 2004**. Applicants paid the \$130 petition fee (37 CFR 1,17(h)) with the Petition to Correct Filing Receipt submitted on June 21, 2005, and believe that no additional fees are due.


Please contact the undersigned if any further information is required.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

One World Trade Center, Suite 1600
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By


Anne Carlson, Ph.D.
Registration No. 47,472



17 NOV 2006

Klarquist Sparkman LLP
One World Trade Center, Suite #1600
121 S.W. Salmon Street
Portland, Oregon 97204-2988

In re Application of :
BLACKSHEAR et al. :
U.S. App. No.: 10/511,362 :
PCT No.: PCT/US03/12348 :
Int. Filing Date: 18 April 2003 :
Priority Date: 19 April 2002 :
Attorney Docket No.: 4239-64828-02 :
For: COMPOSITIONS AND METHODS FOR :
DIAGNOSTICS AND THERAPEUTICS :
FOR HYDROCEPHALUS :

DECISION ON PETITION
UNDER 37 CFR 1.10

This decision is issued in response to applicants' "Renewed Petition under 37 CFR 1.10" which is being treated as a petition under 37 CFR 1.10(d) filed 18 September 2006 requesting that the above-identified application be accorded a (35 U.S.C.) 371(c) filing date of 15 October 2004. Petitioner states that the application was deposited via "Express Mail" pursuant to 37 CFR 1.10.

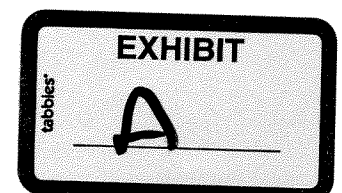
BACKGROUND

On 14 October 2004, applicants filed a transmittal letter for entry into the national stage in the United States, which accompanied by, inter alia: the requisite basic national fee as required by 35 U.S.C. 371(c)(1); a copy of the international application; and an executed declaration.

On 25 April 2005, a Notification of Acceptance was issued identifying the 35 U.S.C. 371(c) date as 14 October 2004. Subsequently, an Official Filing Receipt was issued indicating a "FILING DATE" of 14 October 2004.

On 23 June 2005, applicants filed a "Petition to Correct Filing Receipt." Petitioner avers that the application was deposited via "Express Mail" pursuant to 37 CFR 1.10 on 15 October 2004, rather than 14 October 2004. In a decision dated 14 July 2006, applicants' request was dismissed without prejudice.

On 18 September 2006, applicant filed a "Renewed Petition under 37 CFR 1.10."



DISCUSSION

Applicant presently requests that the USPTO accord the above-identified national stage application a 35 U.S.C. 371(c) filing date of 15 October 2004. A review of the file reveals that the DO/EO/US correctly accorded an 35 U.S.C. 371(c) filing date of 14 October 2004 pursuant to 1.10(a). In the subject petition, applicants argue that the USPS incorrectly entered the "date-in" on the Express Mail label. 37 CFR 1.10(d) allows an applicant to petition to correct an incorrectly entered "date-in" of an Express Mail receipt and states that:

37 CFR 1.10(d) provides:

(d) Any person filing correspondence under this section that was received by the Office and delivered by the "Express Mail Post Office to Addressee" service of the USPS, who can show that the "date-in" on the "Express Mail" mailing label or other official notation entered by the USPS was incorrectly entered or omitted by the USPS, may petition the Commissioner to accord the correspondence a filing date as of the date the correspondence is shown to have been deposited with the USPS, provided that:

(1) The petition is filed promptly after the person becomes aware that the Office has accorded, or will accord, a filing date based upon an incorrect entry by the USPS;

(2) The number of the "Express Mail" mailing label was placed on the paper(s) or fee(s) that constitute the correspondence prior to the original mailing by "Express Mail"; and

(3) The petition includes a showing which establishes, to the satisfaction of the Commissioner, that the requested filing date was the date the correspondence was deposited in "Express Mail Post Office to Addressee" service prior to the last scheduled pickup for that day. Any showing pursuant to this paragraph must be corroborated by evidence from the USPS or that came into being within one business day after deposit of the correspondence in the "Express Mail Post Office to Addressee" service of the USPS.

The petition here was filed promptly after applicant learned of the 15 October 2004 35 U.S.C. 371(c) filing date; 37 CFR 1.10(d)(1) is therefore satisfied.

As noted above, the application materials included a certificate of mailing which listed the "Express Mail" label number used. Applicant has therefore satisfied the requirement of 37 CFR 1.10(d)(2).

A review of the application papers filed in the present application reveals that Express Mail label "EV514904915US" was placed on the Transmittal Letter (PTO-1390) prior to mailing thereof. The "Addressee Copy" of Express Mail label no. "EV514904915US" shows a "date in" of **14 October 2004**. However, information obtained from the United States Postal Service (USPS) Express Mail database shows that "EV514904915US" was accepted by the USPS on **15 October 2004**.

In view of the discrepancy between the 14 October 2005 date shown in the Customer Copy of Express Mail label "EV514904915US" and the 15 October 2004 date shown in the USPS database, it would not be appropriate to grant applicant's request to accord the present application a 15 October 2004 filing date at this time. Moreover, no corroborative evidence that came into being after the deposit and within one business day of the correspondence in the "Express Mail Post Office to Addressee" service of the USPS has been presented. Accordingly, it is inappropriate, on the present record, to accord a filing date of 15 October 2004.

CONCLUSION

Applicants' petition under 37 CFR 1.10(d) requesting that a filing date of 15 October 2004 is **DISMISSED** without prejudice.

Any reconsideration on the merits of this petition must be filed within **TWO (2) MONTHS** from the mail date of this decision. Any reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.10."

Any further correspondence with respect to this matter should be addressed to: Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



Anthony Smith
Attorney-Advisor
Office of PCT Legal Administration
Tel: (571) 272-3298
Fax: (571) 273-0459



UNITED STATES POSTAL SERVICE®

PAGE: 1

EXPRESS MAIL CORPORATE ACCOUNT
MAILING STATEMENT

ACCOUNT NO: 972724

PERIOD: 10/01/04 - 10/31/04

DATE	CHARGE BACK	LABEL NUMBER	ORIG ZIP	DEST ZIP	ADJ # REF #	POSTAGE	FEES		DEPOSITS	WITH-DRAWALS	CDA LEB
							PICKUP	DELIVERY			
BEGINNING BALANCE:						63.98					
10/06/04		EV352376722US	97208	22313	3382-64617-01	13.65					
10/06/04		EV352376736US	97208	22313		13.65			3382-68588-01		
10/06/04		EV352377538US	97208	22313	3382-68588-01	13.65					
10/06/04		EV514606479US	97208	22313		13.65			3382-68576-01		
10/07/04		EV514604889US	97208	22313		13.65			4239-64850-02		
10/08/04		EV339208588US	97208	22313		13.65					
10/08/04		EV514604827US	97208	22313	5437-60780-03	17.85					
10/08/04		EV514606332US	97030	22313		13.65					
10/13/04		EV331579937US	97208	22313	2061-68607-01	17.85					
10/13/04		EV514606394US	97208	22313		17.85			23-68246-02		
10/18/04		EV514603375US	97205	22313	4239-68643-01	17.85					
10/18/04		EV514606672US	97208	22313		13.65			3382-69231-01		
10/19/04		EV514604742US	97208	22313	450-69674-01	13.65					
10/19/04		EV514604756US	97208	22313		13.65			450-69624-01		
10/22/04		EV331579910US	97208	22313	166-69653-01	13.65					
10/25/04		EV514606425US	97208	22313		13.65			1334-6A537-01		
10/26/04		EV339202041US	97208	22313	3382-40808-02	17.85					
10/29/04		EV514606111US	97201	22313		13.65			3382-64277-02		
SUB-TOTAL:						266.70					
10/22/04	050469	EV514606709US	97205	22313		13.65	✓				
SUB-TOTAL:						13.65					
10/15/04	061997	EV514604932US	97205	22313		70.90	✓				
10/15/04	061997	EV514604946US	97205	22313		90.80	✓				
10/15/04	061997	EV514604950US	97205	22313		98.25	✓				
SUB-TOTAL:						259.95					
10/15/04	064828	EV514604915US	97205	22313		24.20	✓				
SUB-TOTAL:						24.20					
10/15/04	067982	EV514604929US	97205	22313		13.65	✓				
SUB-TOTAL:						13.65					
10/20/04	068178	EV514604711US	97205	22313		13.65	✓				
SUB-TOTAL:						13.65					
10/29/04	068532	EV514605031US	97205	22310		13.65	✓				
SUB-TOTAL:						13.65					
10/15/04	069122	EV352376909US	97205	22313		13.65	✓				
SUB-TOTAL:						13.65					
10/15/04	069123	EV514606023US	97205	22313		13.65	✓				
SUB-TOTAL:						13.65					
10/25/04	069244	EV352377294US	97205	22313		13.65	✓				
SUB-TOTAL:						13.65					
10/27/04	069722	EV352377250US	97205	22313		13.65	✓				
SUB-TOTAL:						13.65					
10/29/04	069737	EV339208398US	97205	22310		13.65	✓				
SUB-TOTAL:						13.65					
10/26/04	529660	EU213195972US	97205	13504		13.65					
SUB-TOTAL:						13.65					
10/26/04	589630	EV514606261US	97205	22313		13.65	✓				

221.55

Dawn Rhoads

EXHIBIT


B

000 002 147

FORM PTO-1546 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 4239-64828-02
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. § 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. § 1.5) Not yet assigned
INTERNATIONAL APPLICATION NO. PCT/US03/12348	INTERNATIONAL FILING DATE 18 April 2003	PRIORITY DATE CLAIMED 19 April 2002
TITLE OF INVENTION COMPOSITIONS AND METHODS FOR DIAGNOSTICS AND THERAPEUTICS FOR HYDROCEPHALUS		
APPLICANT(S) FOR DO/EO/US Perry J. Blackshear, Darryl C. Zeldin, Joan P. Graves and Deborah J. Stumpo		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. § 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. § 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. § 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. § 371(b) and PCT Articles 22 and 39(1). 4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. § 371(c)(2)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. § 371(c)(2)). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. § 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. § 371(c)(3)). 9. <input checked="" type="checkbox"/> A Declaration of Inventorship and Powers of Attorney from the inventors 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)). <p>Items 11. to 16. below concern document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. §§ 1.97 and 1.98. 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. §§ 3.28 and 3.31 and the Recordal fee of \$40.00 is included. 13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 14. <input type="checkbox"/> A substitute specification. 15. <input type="checkbox"/> A change of power of attorney and/or address letter. 16. <input checked="" type="checkbox"/> Other items or information: <ol style="list-style-type: none"> <input checked="" type="checkbox"/> Abstract on a separate page. <input checked="" type="checkbox"/> Diskette containing an electronic copy of a Sequence Listing. <input checked="" type="checkbox"/> Paper copy of the Sequence Listing, 55 pages. <input checked="" type="checkbox"/> Statement in Compliance verifying the identity of the above copies. 		



EV514604915US

U.S. APPLICATION NO. (If known, see 37 C.F.R. § 1.13) Not yet assigned		INTERNATIONAL APPLICATION NO. PCT/US03/12348		ATTORNEY'S DOCKET NUMBER 4239-64828-02	
17. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 C.F.R. §§ 1.492(a)(1)-(5)): Neither International Preliminary Examination fee (37 C.F.R. § 1.482) nor International Search fee (37 C.F.R. § 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1,116.00 International Preliminary Examination fee (37 C.F.R. § 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$950.00 International Preliminary Examination fee (37 C.F.R. § 1.482) not paid to USPTO but International Search fee (37 C.F.R. § 1.445(a)(2)) paid to USPTO as an International Searching Authority \$790.00 International Preliminary Examination fee paid to USPTO (37 C.F.R. § 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$750.00 International Preliminary Examination fee paid to USPTO (37 C.F.R. § 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00				CALCULATIONS (PTO USE ONLY)	
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$ 750.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	59 - 20 =	39	x \$18.00	\$ 702.00	
Independent Claims	6 - 3 =	3	x \$88.00	\$ 264.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$230.00	\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 1,716.00	
<input type="checkbox"/> Reduction of 1/2 for filing by small entity. Small entity status is claimed for this application.				\$	
SUBTOTAL =				\$ 1,716.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 Months from the earliest claimed priority date (37 C.F.R. §§ 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$ 1,716.00	
Fee for recording the enclosed assignment (37 C.F.R. § 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. §§ 3.28, 3.31). \$40.00 per property.				\$ 40.00	
TOTAL FEES ENCLOSED =				\$ 1,756.00	
				REFUND →	\$
				CHARGE →	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ 1,756.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 02-4550. A duplicate copy of this sheet is enclosed. d. <input checked="" type="checkbox"/> Please return the enclosed postcard to confirm that the items listed above have been received.					
NOTE: Where an appropriate time limit under 37 C.F.R. § 1.494 or § 1.495 has not been met, a petition to revive (37 C.F.R. § 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO THE ADDRESS ASSOCIATED WITH CUSTOMER NUMBER 36218 KLARQUIST SPARKMAN, LLP One World Trade Center, Suite 1600 121 S.W. Salmon Street Portland, OR 97204-2988					
 SIGNATURE Anne Carlson, Ph.D. NAME 47,472 REGISTRATION NUMBER					

cc: Docketing



Track & Confirm

Shipment Details

You entered EV51 4604 915U S

Your item was delivered at 8:52 am on October 18, 2004 in ALEXANDRIA, VA 22313 to PATENT OFFICE. The item was signed for by M BOSTON. Detailed shipping information has been restored from files offline.

Here is what happened earlier:

- ARRIVAL AT PICK-UP-POINT, October 17, 2004, 7:16 am, ALEXANDRIA, VA 22313
- ARRIVAL AT UNIT, October 17, 2004, 6:59 am, DULLES, VA 20102
- ENROUTE, October 16, 2004, 7:01 pm, DULLES, VA 20102
- ENROUTE, October 15, 2004, 6:48 pm, PORTLAND, OR 97238
- ACCEPTANCE, October 15, 2004, 4:33 pm, PORTLAND, OR 97205

Notification Options

▶ Request Proof of Delivery [What is this?](#)



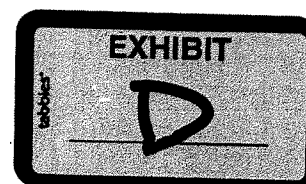
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Enter label number:

[Track & Confirm FAQs](#)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Blackshear et al.

Application No. Not yet assigned

Filed: Herewith

Confirmation No. Not yet assigned

For: COMPOSITIONS AND METHODS FOR
DIAGNOSTICS AND THERAPEUTICS FOR
HYDROCEPHALUS

Examiner: Not yet assigned

Art Unit: Not yet assigned

Attorney Reference No. 4239-64828-02

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as Express Mail Label No. EV514604915US in an envelope addressed to: MAIL STOP PCT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Agent
for Applicant(s)



Date Mailed October 15, 2004

MAIL STOP PCT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

PRELIMINARY AMENDMENT

Prior to calculation of the filing fee and examination of the above-referenced application, please amend the application as follows:

Amendments to the Specification begin on page 2.

Amendments to the Claims are reflected in the listing of claims, which begins on page 3.

Remarks begin on page 11.





EV 514604915 US

Mailing Label
Label 11-F June 2002

UNITED STATES POSTAL SERVICE®

Post Office To Addressee

ORIGIN (POSTAL USE ONLY)				DELIVERY (POSTAL USE ONLY)			
PO ZIP Code	Day of Delivery	Flat Rate Envelope		Delivery Attempt	Time	Employee Signature	
	<input type="checkbox"/> Next <input type="checkbox"/> Second	<input type="checkbox"/>		Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM		
Date in	<input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage		Delivery Attempt	Time	Employee Signature	
Mo. Day Year	Military	\$		Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM		
Time in	<input type="checkbox"/> 1st Day <input type="checkbox"/> 2nd Day	Return Receipt Fee		Delivery Date	Time	Employee Signature	
<input type="checkbox"/> AM <input type="checkbox"/> PM	Int'l Alpha Country Code	COD Fee	Insurance Fee	Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM		
Weight		Total Postage & Fees					
lbs. ozs.		\$					
No Delivery	Acceptance Clerk Initials						
<input type="checkbox"/> Weekend <input type="checkbox"/> Holiday							
METHOD OF PAYMENT: X972724 -64828				Federal Agency Acct. No. or Postal Service Acct. No.			
Express Mail Corporate Acct. No.							
FROM: (PLEASE PRINT) PHONE 503 226 7391				TO: (PLEASE PRINT) PHONE			
KLARQUIST SPARKMAN LLP 121 SW SALMON ST STE 1600 PORTLAND OR 97204-2988 4239-64828-02 WDN/GLB:gte Date of Deposit: 10/15/04				MAIL STOP PCT COMMISSIONER FOR PATENTS PO BOX 1450 ALEXANDRIA VA 22313-1450			
PRESS HARD. You are making 3 copies.				FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com			



EV 514604915 US



UNITED STATES POSTAL SERVICE®

Customer Copy
Label 11-F June 2002

Post Office To Addressee

ORIGIN (POSTAL USE ONLY)				DELIVERY (POSTAL USE ONLY)			
PO ZIP Code	Day of Delivery	Flat Rate Envelope		Delivery Attempt	Time	Employee Signature	
97205	<input type="checkbox"/> Next <input checked="" type="checkbox"/> Second	<input type="checkbox"/>		Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM		
Date in	<input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage		Delivery Attempt	Time	Employee Signature	
Mo. Day Year	Military	\$		Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM		
Time in	<input type="checkbox"/> 1st Day <input type="checkbox"/> 2nd Day	Return Receipt Fee		Delivery Date	Time	Employee Signature	
<input type="checkbox"/> AM <input type="checkbox"/> PM	Int'l Alpha Country Code	COD Fee	Insurance Fee	Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM		
Weight		Total Postage & Fees					
lbs. ozs.		\$ 24.20					
No Delivery	Acceptance Clerk Initials						
<input type="checkbox"/> Weekend <input type="checkbox"/> Holiday							
METHOD OF PAYMENT: X972724 -64828				Federal Agency Acct. No. or Postal Service Acct. No.			
Express Mail Corporate Acct. No.							
FROM: (PLEASE PRINT) PHONE 503 226 7391				TO: (PLEASE PRINT) PHONE			
KLARQUIST SPARKMAN LLP 121 SW SALMON ST STE 1600 PORTLAND OR 97204-2988 4239-64828-02 WDN/GLB:gte Date of Deposit: 10/15/04				MAIL STOP PCT COMMISSIONER FOR PATENTS PO BOX 1450 ALEXANDRIA VA 22313-1450			
PRESS HARD. You are making 3 copies.				FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com			

EXHIBIT

F

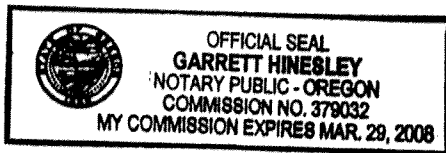
CERTIFICATION

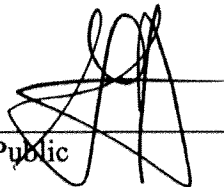
State of Oregon

County of Multnomah

On this 13 day of September, 2006, I Garrett Hinesley, Notary Public in and for the State and County first named above, certify that the attached one page document is a true, exact, complete and unaltered photocopy of the original Express Mail Label number EV 514604915 US, relative to the patent application listed on the accompanying Renewed Petition Under 37 CRF 1.10.

In witness whereof, I have set my hand and seal on this 13 day of September, 2006.





Notary Public

[NOTARY SEAL]

SENDER	MATTER NUMBER	COURIER	DATE	CLERK
DL S/ vpr	6763-65312-01	Fed Ex	10-7	Biz
SS: kdn	6454-56785	Fed Ex	10-7	Biz
JDW/auh	3382-69246-01	Exp Mail	10-7	Biz
PMB	1011-67042-01	Exp	10-7-04	
TV	6975-69198-01	Exp	10-7-04	
WDN: gte	4239-6869452-01	FedEx	10-7	
SLR/ dm	65555-68214-01	FedEx	10-8	
ked	66884-65016-02	Exp	10/5	
mml	6674-66887	Fed Ex	10/5	
GLM/amt	5437-65503-03	Express MAIL	10/8	
GLM/amt	5437-66659-02	Express MAIL	10/8	
ked	4239-64827-02	Exp	10/8	
SLR/ dm	6395-68633-01	Fed Ex	10-8	
SLR/ dm	6395-68633-01	Express Mail	10-8	
SAS/ gte	6975-69427-02	Exp Mail	10-8	
WDN/ gte	4239-64802-02	Fed Ex	10-8	
MPS: gh	7179-69573	FedEx	10-12	
AAK/ lam	4239-68442-02	Exp	10-12	
DAE: lam	6395-61666-01	Exp	10-12	
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Quinn	4109-67282	Fed Ex	✓	
LKD	4239-66903-01	Exp		
PMB	7170-6946301	Fed Ex	10-14-04	Biz
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JH: LF	7175-69563-01	Exp mail	10/15	
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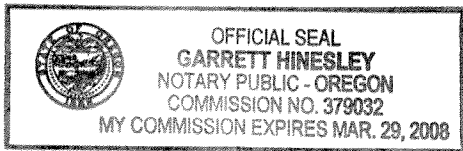
CERTIFICATION

State of Oregon

County of Multnomah

On this 17th day of January, 2007, I Garrett Hinesley, Notary Public in and for the State and County first named above, certify that the attached page is a true, exact, complete and unaltered photocopy of the original Mail Log, relative to patent application referred to by Applicant matter number 4239-64828-02 listed in the accompanying documents.

In witness whereof, I have set my hand and seal on this 17th day of January, 2007.



Notary Public

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